

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-8 and 14 are pending in the present application, with claim 1 being independent. Claims 9-13 have been cancelled by this amendment without any prejudice or disclaimer to the subject matter contained therein. Claim 14 has been added by this amendment.

Drawings

The Examiner objected to the figure, stating that: (1) the figure should be labeled "Fig. 1"; (2) that the figures must show every feature of the invention specified in the claims; and (3) that the figure fails to show the plastic injection molding material as described in the specification.

First, Applicant would like to direct the Examiner's attention to 37 C.F.R. 1.84(u)(1), which recites in part that "[w]here only a single view is used in an application to illustrate the claimed invention, it must not be numbered and the abbreviation 'Fig.' must not appear," emphasis added. Thus, the objection is incorrect and Applicant's figure is labeled properly because it does not contain the abbreviation "Fig. 1."

Secondly, in the figure, the reference lines for reference numbers 16, 20, and 24 have been revised, and reference number 29 has been added. Thus, the figure clearly shows every feature of the

claims.

In view of the above comments, Applicant respectfully requests that the Examiner withdraw the objections.

Specification

The Examiner objected to the specification, stating that the reference character "24" appears to be associated with the emitted light in the figure. Because of the amendments made to the drawing, Applicant respectfully requests that the Examiner withdraw the objection because the circumferential border 24 is clearly shown.

In addition, the specification has been amended to reflect the changes made to the drawing. Applicant respectfully submits that these amendments do not add any new subject matter.

Claim Objections

The Examiner objected to claim 7 under 37 C.F.R. 1.75(c) as being in improper form because a multiple dependent claim must be written in the alternative only.

Claim 7, and the other pending claims, have been amended in an effort to place the claims into proper form for U.S. patent practice. These amendments do not narrow the scope of the claim.

Accordingly, because claim 7, as amended, is not a multiple dependent claim, withdrawal of the objection is respectfully requested, and the Examiner is respectfully requested to treat

claims 7 and 8 on the merits.

Claim Rejections under 35 U.S.C. §112

The Examiner rejected: claims 1-13 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement; and claims 3-6 and 11-13 under 35 U.S.C. §112, second paragraph, as being indefinite. These rejections are respectfully traversed.

Specifically, the Examiner states that the specification does not describe how to make and/or use the invention where the injection molding material is transparent. Applicant has amended claim 1 in an effort to correct a minor error. In view of the amendment to claim 1, Applicant respectfully submits that claim 1 complies with the enablement requirement.

Regarding claims 3-6, Applicant has amended claim 3 in an effort to clarify that the printing, which is recited in claim 2, is provided on a rear side of the plastic sheet.

Accordingly, withdrawal of the rejections is respectfully requested.

Claim Rejections under 35 U.S.C. §102

The Examiner rejected claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Bailey et al. (US 4,848,017). This rejection is respectfully traversed.

Independent claim 1 is directed to a sign that is adapted to

be backlit. The sign includes a cover element having a front side with at least one symbol field adapted to be backlit and a rear side facing away from the front side. The front side is formed by a transparent plastic sheet having a translucent color provided thereon. The rear side is formed by plastic injection molding material that is provided against the plastic sheet. Whereby, the plastic injection molding material opaquely covers the plastic sheet while sparing the at least one symbol field.

Bailey is directed to an illuminated building number assembly that includes a housing 12 and a front panel 14. The front panel 14 has vertical tracks 38a-e provided along openings 36a-d for allowing the insertion of translucent number plates 16 therebetween.

Applicant respectfully submits that Bailey fails to teach or suggest at least that a front side of the cover element is formed by a transparent plastic sheet having a translucent color provided thereon, as recited in independent claim 1.

Referring to, for example, col. 3, lines 16-19 of Bailey, it can be clearly seen that the number plates 16 are formed of translucent, light-colored, sheet acrylic. The number plates 16, are not transparent and do not have a translucent color provided thereon. Because opaque numbers 51 in Bailey are painted onto the colored translucent plates 16, the numbers 51 are visible when the fluorescent bulb 18 is off, see col. 4, lines 19-27, and they would

also appear raised in a visually detectable manner.

In other words, the numbers 51 could never be non-detectable by an observer when they are not backlit, as is desired by the present invention. Thus, independent claim 1 recites that a front side of the cover element is formed by a transparent plastic sheet having a translucent color provided thereon so that the symbol fields are not detectable in a non-backlit state of the sign and so that printings do not appear raised in a visually detectable manner as taught in the paragraph bridging pages 3-4 of the present application.

Dependent claims 2-3 and new claim 14 should be considered allowable at least for depending from an allowable base claim.

Accordingly, in view of the above discussion, Applicant respectfully requests that the Examiner withdraw the rejection.

Claim Rejections under 35 U.S.C. §103

The Examiner rejected: claims 4 and 6 under 35 U.S.C. §103(a) as being unpatentable over Bailey; and claim 5 under 35 U.S.C. §103(a) as being unpatentable over Bailey et al. in view of Deyak et al. (US 6,641,880). These rejections are respectfully traversed.

Dependent claims 4-6 should be considered allowable at least for depending from an allowable base claim.

Accordingly, withdrawal of the rejection is respectfully requested.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

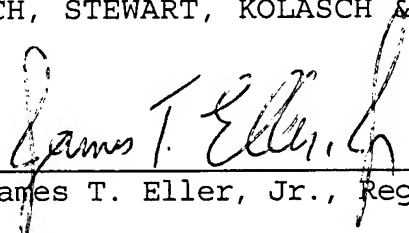
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

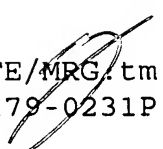
Respectfully submitted,

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JTE/MRG:tm
0179-0231P

Attachment: Replacement Drawing (1 sheet)

AMENDMENTS TO THE DRAWINGS

In the figure, the reference lines for reference numbers 16, 20, and 24 have been revised, and reference number 29 has been added.